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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/621,715	07/24/2000	Hadi Partovi	TM00-005.US	8722

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EXAMINER

ANWAH, OLISA

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/621,715	<b>Applicant(s)</b> PARTOVI ET AL.	
	<b>Examiner</b> Olisa Anwah	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) 1-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 12, 17, 18, 20-23, 25, 26, 30, 31 and 33-35 are rejected under 35 U.S.C § 103(a) as being unpatentable over Brotman et al, U.S. Patent No. 5,917,889 (hereinafter Brotman) in view of Carter et al, U.S. Patent No. 4,608,460 (hereinafter Carter).

Regarding claim 12, Brotman discloses in a voice response system having a telephone interface, a method of interpreting input comprising:

receiving a dual tone multi-frequency (DTMF) key sequence over the telephone interface;

determining a constrained recognition grammar to recognize a set of utterances, wherein each utterance of the set has an

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associated alphanumeric string identifier that maps to a DTMF sequence that is equivalent to the DTMF key sequence;

playing a first audio message over the telephone interface to solicit a voice input;

in response to receiving the voice input over the telephone interface, processing the voice input using the constrained recognition grammar to determine a matching element of the set; and

playing a second audio message corresponding to the matching element (see Figure 2).

Further regarding claim 12, nowhere does Brotman teach the first audio message comprising the set of utterances. However Carter shows this feature (see column 6). As a result, it would have been obvious to one of ordinary skill in the art to modify Brotman with the audio message of Carter. This modification would have improved the convenience of Brotman by notifying the user of appropriate selectable responses as suggested by Carter (see column 6).

As per claim 17, see Figure 2 of Brotman.

As per claim 18, see Figure 2 of Brotman.

As per claim 20, see column 4 of Brotman.

Regarding claim 21, Brotman discloses a system comprising:

- means for receiving input from a caller, the input corresponding to input from a keypad;
- means for identifying at least one match corresponding to the input;
- means for identifying at least one grammar associated with the at least one match;
- means for playing a first message to the caller;
- means for receiving a voice input from the caller;
- means for processing the voice input using the at least one grammar to identify a first one of the at least one match; and
- means for playing a second audio message corresponding to the first match (see Figure 2).

Further regarding claim 21, nowhere does Brotman teach means for playing the at least one match to the caller. However Carter shows this feature (see column 6). As a result, it would have been obvious to one of ordinary skill in the art to modify Brotman with the audio message of Carter. This modification would have improved the convenience of Brotman by notifying the

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user of appropriate selectable responses as suggested by Carter (see column 6).

As per claim 22, see Figure 2 of Brotman.

As per claim 23, see Figure 2 of Brotman.

Regarding claim 25, Brotman discloses a system, comprising:  
a voice portal configured to:

receive input from a caller using a keypad;

identify a plurality of matches corresponding to the  
input;

identify at least one grammar associated with the  
plurality of matches,

play a first audio message to the caller,

receive a voice input from the caller, and

identify a first one of the plurality of matches based  
on the voice input using the at least one grammar (see Figure  
2).

Further regarding claim 25, nowhere does Brotman teach the first audio message comprising at least one of the plurality of matches. However Carter shows this feature (see column 6). As a

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result, it would have been obvious to one of ordinary skill in the art to modify Brotman with the audio message of Carter. This modification would have improved the convenience of Brotman by notifying the user of appropriate selectable responses as suggested by Carter (see column 6).

Regarding claim 26, see Figure 2 of Brotman.

Regarding claim 30, see Figure 2 of Brotman.

Regarding claim 31, see Figure 2 of Brotman.

Regarding claim 33, see Figure 2 of Brotman.

As per claim 34, see column 4 of Brotman.

Regarding claim 35, Brotman discloses a method, comprising:  
receiving input from a caller using a keypad;  
identifying a plurality of matches corresponding to the  
input;

identifying at least one grammar tailored to recognize  
words associated with the plurality of matches;  
playing a first audio message to the caller;  
receiving a voice input from the caller;  
identifying a first one of a plurality of matches based on  
the voice input using the at least one grammar; and

providing information associated with the first match to the caller (see Figure 2).

Further regarding claim 35, nowhere does Brotman teach the first audio message comprising at least one of the plurality of matches. However Carter shows this feature (see column 6). As a result, it would have been obvious to one of ordinary skill in the art to modify Brotman with the audio message of Carter. This modification would have improved the convenience of Brotman by notifying the user of appropriate selectable responses as suggested by Carter (see column 6).

3. Claims 13-16, 19, 24, 27-29, 32 and 36 are rejected under 35 U.S.C § 103(a) as being unpatentable over Brotman combined with Carter in further view of Riskin, U.S. Patent No. 5,031,206 (hereinafter Riskin).

On the issue of claim 13, the combination of Brotman and Carter fails to teach determining an order associated with the set of utterances based on a weighting factor. Regardless, Riskin discloses this feature (see column 6). For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Brotman and Carter with the weighting factor of



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Riskin. This modification would have improved the system's efficiency by predicting selectable strings based on their frequency as suggested by Riskin (see column 6).

As per claim 14, see column 6 of Riskin.

As per claim 15, see column 6 of Riskin.

As per claim 16, see column 6 of Riskin.

As per claim 19, see column 6 of Riskin.

Claim 24 is rejected for the same reasons as claim 19.

Claim 27 is rejected for the same reasons as claim 13.

Claim 28 is rejected for the same reasons as claim 14.

Claim 29 is rejected for the same reasons as claim 15.

Claim 32 is rejected for the same reasons as claim 19.

Claim 36 is rejected for the same reasons as claim 14.

### ***Response to Arguments***

3. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

**Conclusion**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

OA

Olisa Anwah  
Patent Examiner  
March 23, 2006

  
FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600